

SENATE BILL

No. 37

**Introduced by Senators Cedillo and Pavley
(Coauthor: Senator Oropeza)**

February 5, 2010

An act relating to air pollution, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 37, as introduced, Cedillo. Carl Moyer Memorial Air Quality Standards Attainment Program: Air Quality Improvement Fund.

(1) Under existing law, the State Air Resources Board has the primary responsibility for the control of emissions from motor vehicles. The state board is required to administer the Carl Moyer Memorial Air Quality Standards Attainment Program to provide grants to offset the incremental cost of projects that reduce covered emissions from covered sources. The state board is required to establish and update grant criteria and guidelines for covered vehicle projects.

This bill would require the state board to make grants available to covered vehicles and engines without regard to cost-effectiveness criteria from January 1, 2010, to January 1, 2011, inclusive.

(2) Existing law creates the Air Quality Improvement Fund, which is administered by the State Air Resources Board. The moneys in the fund are available to the state board, upon appropriation by the Legislature, to implement the Air Quality Improvement Program.

This bill would appropriate \$10,000,000 from the Air Quality Improvement Fund to the state board for the purpose of providing direct grants and zero- or low- interest loans, from January 1, 2010, to January 1, 2011, inclusive, to owners of on-road heavy-duty diesel-fueled motor vehicles in order to purchase equipment for compliance with any

regulation adopted by the state board for the reduction of air pollution from those vehicles.

(3) The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on January 8, 2010.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on January 8, 2010, pursuant to the California Constitution.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) (1) The Legislature finds and declares that
2 during this period when the state's economy is in distress it is
3 necessary to make funds available to owners of covered vehicles
4 and engines, under the Carl Moyer Memorial Air Quality Standards
5 Attainment Program, in order to help these owners financially
6 while achieving health based clean air standards.

7 (2) Notwithstanding Chapter 9 (commencing with Section
8 44275) of Part 5 of Division 26 of the Health and Safety Code,
9 from January 1, 2010, to January 1, 2011, inclusive, the State Air
10 Resources Board shall make grants available to covered vehicles
11 and engines, as defined in Section 44275 of the Health and Safety
12 Code, without regard to cost-effectiveness criteria.

13 (b) Notwithstanding Chapter 8.9 (commencing with Section
14 44270) of Part 5 of Division 26 of the Health and Safety Code, the
15 sum of ten million dollars (\$10,000,000) is appropriated from the
16 Air Quality Improvement Fund established pursuant to Section
17 44274.5 of the Health and Safety Code to the State Air Resources
18 Board for the purpose of providing direct grants and zero- or low-
19 interest loans, from January 1, 2010, to January 1, 2011, inclusive,
20 to owners of on-road heavy-duty diesel-fueled motor vehicles in
21 order to purchase equipment for compliance with any regulation
22 adopted by the State Air Resources Board for the reduction of air
23 pollution from those vehicles.

24 SEC. 2. This act addresses the fiscal emergency declared by
25 the Governor by proclamation on January 8, 2010, pursuant to

1 subdivision (f) of Section 10 of Article IV of the California
2 Constitution.

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